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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/574,290	03/31/2006	Mitsuaki Osame	0756-7670	7471
31780 7590 06/08/2010 Robinson Intellectual Property Law Office, P.C. 3975 Fair Ridge Drive Suite 20 North Fairfax, VA 22033				
EXAMINER				
NGUYEN, LONG T				
ART UNIT		PAPER NUMBER		
2816				
MAIL DATE		DELIVERY MODE		
06/08/2010		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/574,290

Applicant(s)

OSAME ET AL.

Examiner

LONG NGUYEN

Art Unit

2816

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 March 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 7-18 and 22-25 is/are pending in the application.
- 4a) Of the above claim(s) 7-18 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 22-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 April 2009 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB-06)
Paper No(s)/Mail Date _____

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. This office action is in respond to the amendment filed on 3/1/10.
2. Upon further reconsideration, the indicated allowability of claims 22-24 in the last office action is withdrawn in view of the new ground rejections as follow.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 22 and 25 are rejected under 35 U.S.C. 102(b) as being anticipated by Yanagida Hiroyoshi (JP 08-107345-A).

With respect to claims 22 and 25, Figure 5 of Yanagida Hiroyoshi discloses a semiconductor device, which includes: a first transistor (Tr7), a second transistor (Tr6), a plurality of inverters (1a); a first power source applying a first potential (Vcc); a second power source applying a second potential (Vss); a first circuit (circuitry that is used to generated potential VM connected to gate of transistor Tr6) generating a third potential (VM) which is different from the first and second potentials (see Figure 3); a second circuit (another circuitry that is used to generated potential VM connected to gate of transistor Tr7) generating a fourth potential (VM) which is different from the first and second potentials (see Figure 3); wherein each of the plurality of inverters (1a) comprising: a third transistor and a fourth transistor (Tr1

and Tr2, see Figure 2); a first signal (IN), and a second signal (OUT) with the connections and operations as recited in the claim.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 23 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yanagida Hiroyoshi (JP 08-107345-A) in view of Uchiki et al. (USP 6,646,486).

With respect to claims 23 and 24, Figure 5 of Yanagida Hiroyoshi teaches all the limitations of these claims as discussed in the 102 rejection above except for each of the first and second circuits includes multiples resistors connected in series between the first power source and the second power source, wherein the third (or fourth) potential is outputted from a connecting node of two resistors that are selected from the multiple resistors. However, Figure 12C of the Uchiki et al. teaches a voltage divider generator circuit that includes a plurality of resistors (R1, R2) connected in series between the first power source (Vdd) and the second power source (GND), wherein the third/fourth potential (N1) is outputted from a connecting node (N1) of two resistors (R1, R2) that are selected from the multiple resistors. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the circuitry of Yanagida Hiroyoshi by specifically using the voltage divider generator of Figure 12C for each of the first and second circuits to generate the third and fourth potentials (to the gate of Tr7 and Tr6), respectively, of Figure 5 of the Yanagida Hiroyoshi's

circuitry for the purpose of easily achieving a known reference voltage based on the ratio of the fixed resistances of the resistors. Thus, this modification/combination meets all the limitations of claims 23 and 24.

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directly to Examiner Long Nguyen whose telephone number is (571) 272-1753. The Examiner can normally be reached on Monday to Thursday from 8:00am to 6:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lincoln Donovan, can be reached at (571) 272-1988. The fax number for this group is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Long Nguyen/
Primary Examiner
Art Unit 2816